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Attorneys for Plaintiff

Attorneys for Defendants

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

ARTHUR J. GALLAGHER & CO., a  
 Delaware Corporation,

Plaintiff,

vs.

DON TARANTINO, an individual,  
 BERNADETTE HEATER, an individual,  
 MICHAEL MACHETTE, an individual, and  
 SPENCER BRUSH, an individual,

Defendants.

CASE NO.: 20-cv-05505-EMC

**JOINT STATUS REPORT**

CMC Date: September 20, 2022

Time: 2:30 PM

Judge: Hon. Edward M. Chen

Pursuant to the Court's text order of 9/13/2022 (ECF No. 118), Plaintiff Arthur J. Gallagher & Co. ("Plaintiff") and Defendants Don Tarantino, Bernadette Heater, Michael Machette, and Spencer Brush ("Defendants"), and together with Plaintiff, (the "Parties"), through their counsel of record, jointly submit this Joint Status Report in anticipation of the Status Conference set for **September 20, 2022, at 2:30 PM:**

As set forth in the Parties' Stipulation Extending Certain Pretrial Deadlines in Order to Finalize Settlement (ECF No. 119, granted at ECF No. 120), the Parties have executed a preliminary Memorandum of Settlement regarding settlement, and are actively drafting a binding Settlement Agreement and Mutual Release ("Settlement Agreement") that will result in the dismissal of this lawsuit.

Counsel for Defendants and Alliant circulated a draft of the Settlement Agreement to Plaintiff yesterday (September 15, 2022), and Plaintiff anticipates reviewing and returning the draft by Monday, September 19, 2022.

Dated: September 16, 2022

By: /s/ Sarah A. Marsey

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ARTHUR J. GALLAGHER & CO.

Dated: September 16, 2022

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Robert A. Lewis  
Debra L. Fischer  
Robert A. Lewis  
Seth M. Gerber

Attorneys for Defendants

TARANTINO, HEATER, MACHETTE, and BRUSH

**ECF ATTESTATION**

I, Sarah Marsey, am the ECF User whose ID and password are being used to file the following: **JOINT STATUS REPORT**. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Robert A. Lewis concurs in this filing.

Dated: September 16, 2022

By: /s/ Sarah A. Marsey

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